

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,

:  
Plaintiff,

:  
vs.

Case No. 3:20cr06

IRVIN D. JONES,

:  
JUDGE WALTER H. RICE

:  
Defendant.

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DECISION AND ENTRY OVERRULING DEFENDANT'S MOTION FOR  
MODIFICATION OF DETENTION ORDER (DOC. #18); REASONING SET  
FORTH; RIGHT OF APPEAL EXPLAINED

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Pursuant to the record made during a March 30, 2020, telephone conference call between Court and counsel as well as upon this Court's review of the initial pretrial services report, this Court OVERRULES the Defendant's Motion for Modification of Detention Order (Doc. #18) in its entirety.

In so ruling, this Court notes that the captioned matter is a presumption case. Further, this Court concludes that this presumption has not been rebutted, by the requisite degree of proof, and, accordingly, concludes that there exists no condition or combination of conditions sufficient to guarantee the appearance of the Defendant when required and/or the safety of any other person and the community.

As further support for the above conclusion, the Court notes that the Indictment returned by a duly impaneled Grand Jury attributes a large quantity of controlled substances to this Defendant and, further, that the initial Pretrial Services Report has indicated a number of

absconder capias having been issued. Finally, the Defendant's past criminal record indicates prior drug offenses and at least one weapons conviction.

Defendant, to whom a copy of this Entry is sent, is advised that he has fourteen days from the filing of this Decision and Entry to appeal this Court's decision rendered herein to a higher court. He is entitled to the services of an attorney to aid him in such an appeal. Should he wish to appeal and desires an attorney to represent him, the Court will appoint an attorney for him, at no cost, to assist him in such an appeal.

*Walter H. Rice*

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April 24, 2020

WALTER H. RICE  
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record  
Irvin D. Jones, c/o Montgomery County Jail, 330 W 2nd St, Dayton, OH 45422